

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: § CASE NO. 17-35044-H2-13
§
ROBERT DAVIS § § MISC. CASE NO. 20-00301
§
DEBTOR § §

EMERGENCY MOTION TO WITHDRAW AS ATTORNEY OF RECORD

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY, YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING UNLESS THE PARTIES AGREE OTHERWISE; THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT CONSIDERS THE MOTION ON AN EMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN 21 DAYS TO ANSWER. IF YOU OBJECT TO THE REQUESTED RELIEF OR IF YOU BELIEVE THAT THE EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NOW COMES, **Samuel L. Milledge**, the Attorney in Charge for Defendant Grace Davis in the above-numbered and styled ancillary matter to Robert Davis' main chapter 13 bankruptcy case under case 17-35044-H2-13 and requests for leave of Court to file this motion to withdraw as attorney of record, stating the following grounds:

HISTORY OF THE CASE

1. This ancillary show cause matter was filed on December 19, 2019. Defendant Grace Davis filed a response to the motion to show cause and appeared on January 13, 2020. The

court has held status conferences on January 21, 2020, and February 25, 2020. The next status conference is set for April 21, 2020, at 12:00 p.m. This case has not been set for a final hearing.

GROUNDS FOR WITHDRAWAL OF ATTORNEY

2. Since the filing of this case, Defendant Grace Davis has become dissatisfied with the representation by Samuel L. Milledge. As a result, Samuel L. Milledge has been terminated from the representation of Grace Davis in writing. Grace Davis has expressed a desire to retain new counsel to represent her interests. The termination of Samuel L. Milledge has destroyed the attorney-client relationship. Samuel L. Milledge can no longer ethically and effectively represent Grace Davis. Samuel L. Milledge does not oppose being terminated nor does he oppose Grace Davis retaining new counsel.

3. Accordingly, the undersigned seeks an order allowing his withdrawal from the representation of Grace Davis for the reasons stated above.

4. If the undersigned Counsel is allowed to withdraw as Attorney of Record, he should have no further professional responsibility for the outcome of this case.

5. Prior notice has been given to Defendant Grace Davis of Counsel's intent to withdraw as attorney of record. Counsel has not received any written or verbal opposition of this motion from any parties to this case.

6. The current address mailing address of Defendant Grace Davis is the following:

**Grace Davis
8402 Glenn Elm Drive
Spring, Texas 77379
Telephone No. (832) 301-3920**

7. This motion is not sought for the purpose of delay, but so that justice to be done.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Samuel L. Milledge respectfully prays that this Court allows his withdrawal as attorney of record for Defendant Grace Davis and that it grant such other and further relief to which he may be justly entitled to at law or in equity.

Date: March 30, 2020.

Respectfully submitted,

/s/ Samuel L. Milledge
SAMUEL L. MILLEDGE
Attorney in Charge for Grace Davis, Defendant
State Bar No. 14055300
2500 East T.C. Jester Blvd., Ste. 510
Houston, Texas 77008
(713) 812-1409 - Telephone
(713) 812-1418 – Telecopier
Email:Milledge@milledgelawfirm.com;
blopez@milledgelawfirm.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing response was sent via court's electronic filing system to all parties associated with the Motion To Show Cause on this 30th day of March 2020.

Respectfully submitted,

/s/ Samuel L. Milledge
SAMUEL L. MILLEDGE
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